



01-16-03 OSPH

1634 #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CANTOR *et al.*

Serial No. 09/880,988

Conf. No.: 5954

Filed: June 13, 2001

For: *USE OF NUCLEOTIDE ANALOGS IN  
THE ANALYSIS OF OLIGONUCLEOTIDE  
MIXTURES AND IN HIGHLY  
MULTIPLEXED NUCLEIC ACID  
SEQUENCING*

Art Unit: 1634

Examiner: Chakrabarti, Arun K.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 175674057 US

Date of Deposit January 13, 2003

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327, Arlington, VA 22202

  
Michael Leugh

TRANSMITTAL LETTER

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327, Arlington, VA 22202

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page), and copies of cited references for filing in connection with the above-identified application. If no proper payment is enclosed herewith, the Commissioner is authorized to charge Deposit Account No. 50-1213, for the appropriate fee as stated below. A duplicate copy of this sheet is enclosed.

- ☒ The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213.

Respectfully submitted,  
HELLER EHRMAN WHITE & MCAULIFFE LLP

By:

  
Stephanie Seidman  
Registration No. 33,779

Attorney Docket No. 25491-2408  
Address all correspondence to:  
Stephanie L. Seidman, Esq.  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, CA 92122-1246  
Telephone: 858 450-8400  
Facsimile: 858 587-5360  
email: sseidman@HEWM.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CANTOR *et al.*

Serial No. 09/880,988

Conf. No.: 5954

Filed: June 13, 2001

For: *USE OF NUCLEOTIDE ANALOGS IN THE  
ANALYSIS OF OLIGONUCLEOTIDE  
MIXTURES AND IN HIGHLY  
MULTIPLEXED NUCLEIC ACID  
SEQUENCING*

Art Unit: 1634

Examiner: Chakrabarti, Arun K.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 175674057 US

Date of Deposit January 13, 2003

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327, Arlington, VA 22202

  
Michael Lough

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed after receipt of a First Office Action on the merits for the above-captioned application, the filing fee of \$180 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R.

**U.S.S.N 09/880,988**  
**Cantor *et al.***  
**Supplemental IDS**



§§1.97-1.98. Form PTO-1449 (2 pages) and copies of the cited documents are provided herewith in connection with the above-captioned application.

The documents listed on the Forms PTO-1449 and supplied herewith are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By: \_\_\_\_\_

Stephanie Seidman  
Registration No. 33,779

Attorney Docket No. 25491-2408  
**Address all correspondence to:**  
Stephanie L. Seidman, Esq.  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, CA 92122-1246  
Telephone: 858 450-8400  
Facsimile: 858 587-5360  
email: sseidman@HEWM.com



FORM PTO-1449 (Modified)

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTATTY. DOCKET NO.  
25491-2408SERIAL NO.  
09/880,988APPLICANT  
CANTOR et al.FILING DATE  
June 13, 2001GROUP  
1634

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	A	4	9	8	8	6	1	7	01/29/91	Landegren et al.	435	6	03/25/88
	B	5	5	1	0	2	7	0	04/23/96	Fodor et al.	436	518	09/30/92
	C	5	7	7	0	2	7	2	06/23/98	Biemann et al.	427	421	04/28/95
	D	5	7	9	8	2	1	0	08/25/98	Canard et al.	435	6	11/20/95
	E	5	8	8	8	7	7	8	03/30/99	Shuber	435	91.1	06/16/97
	F	6	0	2	5	1	9	3	02/15/00	Weiss	435	320.1	03/14/97
	G	6	2	1	4	5	5	1	04/10/01	Sanghvi et al.	435	6	07/27/98
	H	6	2	3	2	0	7	6	05/15/01	Schulz	435	6	02/04/00

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
	I	0	1	9	6	6	0	7	12/20/01	PCT				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

J	Fitzgerald et al., "Basic Matrices for the Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry of Proteins and Oligonucleotides," <i>Analytical Chemistry</i> <u>65</u> : 3204-3211 (1993)
K	Khrapko et al., "An oligonucleotide hybridization approach to DNA sequencing," <i>FEBS Letters</i> <u>256</u> (1,2): 118-122 (1989)
L	Maskos, U. and E.M. Southern, "Oligonucleotide hybridisations on glass supports: an novel linker for oligonucleotide synthesis and hybridisation properties of oligonucleotides synthesised <i>in situ</i> ," <i>Nucleic Acids Research</i> <u>20</u> (7): 1679-1684 (1992)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **USE OF NUCLEOTIDE ANALOGS IN THE ANALYSIS OF OLIGONUCLEOTIDE MIXTURES  
AND IN HIGHLY MULTIPLEXED NUCLEIC ACID SEQUENCING**